

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)
v.)
THOMAS CULLERTON,)
Defendant,) No. 19 CR 623
and) Judge Gettleman
STRATEGIA CONSULTING LLC,)
Third-Party Respondent.)

MOTION OF THE UNITED STATES FOR TURNOVER ORDER

The United States of America, by Morris Pasqual, Acting United States Attorney for the Northern District of Illinois, moves for a turnover order and in support states as follows:

1. The court entered a restitution judgment against defendant Thomas Cullerton on June 21, 2022. Cullerton has not made a payment since May 31, 2023, and the judgment balance is \$196,667.66 as of June 12, 2023.

2. The United States may use any federal or state procedure to enforce the judgment. 18 U.S.C. §§ 3613(a) and (f). A citation to discover assets directed to the respondent, Strategia Consulting LLC, was issued on May 17, 2023, and Cullerton was served on May 22, 2023.

3. Third-party citation respondent Strategia Consulting LLC answered the citation on June 9, 2023. A copy of the answer is attached as Exhibit A. Cullerton was served with a copy of the answer by Strategia Consulting LLC, as reflected in paragraph 9 of the answer. Strategia Consulting LLC stated in its answer that it had in its possession or under its control earnings belonging to Cullerton at the time the citation was served. Based on Strategia Consulting LLC's

answer, the United States is entitled to 25% of Cullerton's disposable earnings, less any child support or court-ordered deduction, for each pay period since the citation was served and continuing each pay period until the debt is paid in full, or until Strategia Consulting LLC no longer has custody, possession, or control of any disposable earnings belonging to Cullerton, or until further order of this court. 18 U.S.C. § 3613(a); 28 U.S.C. § 3205(c)(7).

4. The Clerk of the Court collects all payments on monetary penalties imposed in criminal cases; accordingly, all payments should have "19 CR 623" written in the lower left corner of the check and be submitted to: Clerk of the Court; U.S. District Court, Northern District of Illinois; 219 South Dearborn Street, 20th Floor; Chicago, Illinois 60604.

5. The United States has provided all notices required by law.

WHEREFORE, the United States requests entry of a turnover order directing Strategia Consulting LLC to submit to the Clerk of the Court 25% of Cullerton's disposable earnings, less any child support or prior court-ordered deduction, for each pay period since the citation was served and continuing each pay period until the debt is paid in full or until Strategia Consulting LLC no longer has custody, possession, or control of any disposable earnings belonging to Cullerton, or until further order of this court.

Respectfully submitted,

MORRIS PASQUAL
Acting United States Attorney
Northern District of Illinois

By: s/ Devvrat V. Sinha
DEVVRAT V. SINHA
Assistant United States Attorney
219 South Dearborn Street
Chicago, Illinois 60604
312-469-6298
devvrat.sinha@usdoj.gov

Certificate of Service

The undersigned Assistant United States Attorney hereby certifies that in accordance with Fed. R. Civ. P. 5, LR 5.5, and the General Order on Electronic Case Filing (ECF), the following documents:

MOTION OF THE UNITED STATES FOR TURNOVER ORDER

were served pursuant to the district court's ECF system as to ECF filers, if any, and was sent by first-class mail on the date of filing to the following non-ECF filers:

Thomas Cullerton
126 N. Charles Avenue
Villa Park, IL 60181

Strategia Consulting LLC
c/o Lissa Druss, Registered Agent
105 E. Irving Park Road
Itasca, IL 60143

s/ Devvrat V. Sinha

DEVVRAT V. SINHA
Assistant United States Attorney
219 South Dearborn Street
Chicago, Illinois 60604
312-469-6298
devvrat.sinha@usdoj.gov

CITATION TO EMPLOYER

Issued by the
United States District Court
NORTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA

THIRD-PARTY CITATION TO DISCOVER ASSETS

v.

CASE NUMBER: 19 CR 623

THOMAS CULLERTON

TO: Strategia Consulting LLC, c/o Lissa Druss, Registered Agent, 105 E. Irving Park Road Itasca, Illinois 60143

On June 21, 2022, the court entered judgment in favor of the United States and against Thomas Cullerton, ***-**-3607, and it remains unsatisfied in the total amount of \$200,166.86.

YOU ARE PROHIBITED from making or allowing any transfer or other disposition of, or interfering with, any property not exempt from execution or garnishment belonging to the judgment debtor or to which he may be entitled or which may be acquired by or become due to the judgment debtor and from paying over or otherwise disposing of any money not so exempt, which is due or becomes due to judgment debtor, until further order of court or termination of the proceedings. You are required to withhold the payment or transfer of any money or other property no more than twice the amount of the unsatisfied judgment.

YOUR FAILURE TO APPEAR AND ANSWER AS HEREIN DIRECTED MAY CAUSE YOU TO BE ARRESTED AND BROUGHT BEFORE THE COURT TO ANSWER TO A CHARGE OF CONTEMPT OF COURT, WHICH MAY BE PUNISHABLE BY IMPRISONMENT.

YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to be examined under oath to discover assets or income not exempt from the enforcement of the judgment.

PLACE OF TESTIMONY	COURTROOM	DATE AND TIME

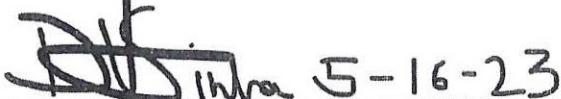
YOU ARE COMMANDED to appear in the Office of the United States Attorney at the place, date, and time specified below to be examined under oath to discover assets or income not exempt from the enforcement of the judgment.

PLACE OF TESTIMONY	DATE AND TIME
219 South Dearborn Street, 5th Floor, Chicago, Illinois 60604	June 9, 2023 at 10:30 a.m. <u>A timely written answer will make your personal appearance unnecessary</u>

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents at the place, date, and time specified above: See attached rider.

CERTIFICATE OF ATTORNEY

The undersigned certifies under penalties of perjury provided by law (735 ILCS 5/1-109) that on June 21, 2022 judgment was entered against the defendant in the amount of \$248,928.00 in the **United States District Court for the Northern District of Illinois** in case number 19 CR 623, and the balance now due is \$200,166.86.



5-16-23

Devvrat V. Sinha, Assistant United States Attorney, 219 S. Dearborn Street, 5th Fl., Chicago, Illinois 60604; (312) 469-6298.

THOMAS G. BRUTON, Clerk of the District Court



(By) Deputy Clerk

MAY 17 2023

PROOF OF SERVICE

DATE	PLACE
SERVED	105 E. Irving Park Road, Itasca, Illinois 60143
SERVED ON (PRINT NAME) Strategia Consulting LLC c/o Lissa Druss, Registered Agent	MANNER OF SERVICE Federal Express
SERVED BY (PRINT NAME) Monique Hopkins	TITLE Legal Assistant

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that I am over 21 years of age and the foregoing information contained in the Proof of Service is true and correct.

SIGNATURE OF SERVER

Executed on _____

DATE

219 S. Dearborn Street, 5th Floor, Chicago, Illinois 60604

ADDRESS OF SERVER

Notice to judgment debtor pursuant to the Illinois Code of Civil Procedure § 2-1402(b)

CITATION NOTICE

In the United States District Court
for the Northern District of Illinois
219 S. Dearborn St., Chicago, Illinois

United States, Judgment Creditor

v.

Thomas Cullerton, Judgment Debtor
126 N. Charles Avenue
Villa Park, Illinois 60181

Amount of judgment: \$248,928.00

This citation is directed to: Strategia Consulting LLC

NOTICE: The court has issued a citation against the person named above. The citation directs that person to appear at the place designated above to be examined for the purpose of allowing the judgment creditor to discover income and assets belonging to you, the judgment debtor, or in which you, the judgment debtor, has an interest. The citation was issued on the basis of a judgment against you, the judgment debtor, in favor of the judgment creditor in the amount stated above. On or after the date stated above, the court may compel the application of any discovered income or assets toward payment on the judgment.

The amount of income or assets that may be applied toward the judgment for criminal fines and restitution is limited by federal and Illinois law. The JUDGMENT DEBTOR HAS THE RIGHT TO ASSERT STATUTORY EXEMPTIONS AGAINST CERTAIN INCOME OR ASSETS OF THE JUDGMENT DEBTOR WHICH MAY NOT BE USED TO SATISFY THE JUDGMENT IN THE AMOUNT STATED ABOVE.

Under federal law relating to the enforcement of judgments for criminal fines and restitution, the property exempt from levy is:

(1) Wearing apparel and school books necessary for the debtor or for his family;

- (2) Fuel, provisions, furniture, and personal effects in the debtor's household, and for personal use, livestock, and poultry of the debtor, as does not exceed \$9,690 in value;
 - (3) Books and tools of a trade, business, or profession necessary for the trade, business, or profession of the debtor as do not exceed in the aggregate \$4,850 in value;
 - (4) Unemployment benefits payable to an individual with respect to his unemployment (including any portion thereof payable with respect to dependents).
 - (5) Undelivered mail to any person, which has not been delivered to the addressee.
 - (6) Certain annuity and pension payments under the Railroad Retirement Act, benefits under the Railroad Unemployment Insurance Act, special pension payments received by a person whose name has been entered on the Army, Navy, Air Force, and Coast Guard Medal of Honor roll, and annuities based on retired or retainer pay under chapter 73 of title 10 of the United States Code.
 - (7) Workmen's compensation payable to an individual (including any portion thereof payable with respect to dependents) under a workmen's compensation law.
 - (8) Judgments for support of minor children required by judgment of a court of competent jurisdiction, entered prior to the date of levy, to contribute to the support of his minor children
 - (9) Certain service-connected disability payments payable to an individual as a service-connected (within the meaning of section 101(16) of title 38, United States Code) disability benefit.
 - (10) Assistance under Job Training Partnership Act under the Job Training Partnership Act (29 U.S.C. 1501 et seq.) from funds appropriated pursuant to such Act. (See 18 U.S.C. § 3613(a) and 26 U.S.C. § 6334.)
- THE JUDGMENT DEBTOR HAS THE RIGHT AT THE CITATION HEARING TO DECLARE EXEMPT CERTAIN INCOME OR ASSETS OR BOTH.** The judgment debtor also has the right to seek a declaration at an earlier date, by notifying the clerk in writing at 219 S. Dearborn, 20th Floor, Chicago, Illinois 60604. When so notified, the Clerk of the Court will obtain a prompt hearing date from the court and will provide the necessary forms that must be prepared by the judgment debtor or the attorney for the judgment debtor and sent to the judgment creditor and the judgment creditor's attorney regarding the time and location of the hearing.

Certificate of Mailing

I certify that within three business days of service on the above-named third-party citation respondent a copy of this citation to discover assets and citation notice were sent by first class U.S. Mail to the judgment debtor's last known address, which is 126 N. Charles Avenue, Villa Park, Illinois 60181.



U.S. Department of Justice

United States Attorney
Northern District of Illinois

Financial Litigation Unit

Dirksen Federal Courthouse
219 South Dearborn Street, Fifth Floor
Chicago, Illinois 60604

Phone: (312) 469-6298
Fax: (312) 886-3501

May 16, 2023

Strategia Consulting LLC
c/o Lissa Druss, Registered Agent
105 E. Irving Park Road
Itasca, Illinois 60143

Re: *United States v. Thomas Cullerton*, 19 CR 623 (N.D. Ill.)

To Whom It May Concern:

Enclosed is a citation to discover assets in the above-referenced case. As this citation has been issued pursuant to 18 U.S.C. § 3613, the procedures established under 31 C.F.R. Part 212 for identifying and protecting federal benefits deposited into accounts at financial institutions do not apply to this garnishment.

Your answer is due by June 9, 2023. You are to restrict the defendant's accounts until further order of the court. Please do not disburse any non-exempt funds to anyone until you receive a court order to do so.

If you have any questions, please contact Financial Litigation Agent Kathryn Arteeze at (312) 886-3355 or kathryn.arteeze@usdoj.gov.

Very truly yours,

MORRIS PASQUAL
Acting United States Attorney
Northern District of Illinois

Monique Hopkins

By: MONIQUE HOPKINS
Legal Assistant

Enclosures

cc: Thomas Cullerton (*with enclosure*)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

United States of America)
)
)
)
 v.)
)
)
 Thomas Cullerton,) No. 19 CR 623
)
 Defendant,)
)
 and) Judge Gettleman
)
)
 Strategia Consulting LLC,)
)
)
 Third-Party Citation Respondent.)

ANSWER OF THIRD-PARTY CITATION RESPONDENT

I, Lissa Druss, the CEO of Respondent, Strategia Consulting LLC,

state under penalty of perjury as follows:

Respondent is a LLC organized under the laws of the State of Illinois.
(sole proprietorship, partnership, corporation, government agency)

On May 18, 2023, Respondent was served with the Third Party Citation to Discover Assets. With respect to Defendant, Thomas Cullerton, on the day Respondent was served with the Citation, Respondent had in its possession or control the following property of Defendant:

I. Respondent Employs Defendant.
(Employs - Employed - Never Employed)

If no longer employed, the last day of employment was: _____
State defendant's current employer, if known: _____

2. Defendant's pay period is: weekly. bi-weekly. semi-monthly. monthly.

Enter date present pay period began May 15, 2023 and date it ends May 29, 2023
(Present means the pay period in which the Citation was served).

3. Calculate wages subject to garnishment:

(A) Gross wages (minus mandatory contributions to pension/retirement plans) (A)\$ 2,517.50

(B) Enter Total FICA, State and Federal Tax, and Medicare (B)\$ 537.11

(C) Disposable Earnings (Net): Subtract Line (B) from Line (A) (C)\$ 1980.39

(D) Enter Twenty Five Percent (25%) of Line (C) (D)\$ 495.10

Please return to: United States Attorney's Office, Financial Litigation Unit, 219 South Dearborn Street, 5th Floor, Chicago, Illinois 60604



(E) Enter Ten Percent (10%) of Line (C)

(E)\$ 198

(F) % of Gross (Divide Line E by Line A)

(F)\$ 201.40

(G) Current Federal minimum wage per pay period (\$7.25 per hour).

Using the applicable pay period, enter the appropriate amount:

(G)\$ 487.50

If Defendant is paid every week or less, enter 30 times the minimum wage or \$ 217.50

If Defendant is paid every two weeks, enter 60 times the minimum wage or \$435.00

If Defendant is paid semi-monthly, enter 65 times minimum wage or \$487.50

If Defendant is paid monthly, enter 130 time minimum wage or \$942.50

(H) Subtract Line G from Line C

(H)\$ 1,492.89

(I) Enter Line D or Line H, whichever is smaller

(I)\$ 495.10

(If the smaller amount is zero or less, do not withhold any wages this pay period).

(J) Enter child support or other court ordered deduction

(J)\$ 0

(K) Subtract Line J from Line I.

(K)\$ 495.10

LINE K IS THE AMOUNT TO BE WITHHELD FROM EMPLOYEE'S PAYCHECK FROM THE DATE OF SERVICE OF THE CITATION AND NOT DISBURSED UNTIL FURTHER ORDER OF COURT.

4. Are there prior garnishments or other court-ordered withholdings which are presently in effect including, but not limited to, child support and alimony?

Yes No X

If the answer is yes, describe below and attach a copy of the garnishment order.

5. Besides wages, does Respondent have custody, control or possession of any property now owed or to be paid in the future, in which Defendant has an interest, including but not limited to, a pension or 401(k), bonus, vacation pay, sick pay, or reimbursement of expenses?

Yes X No

If yes, please describe below (continue on additional sheets if necessary):

Defendant received a one-time signing bonus in the amount of \$10,000 with his present pay period (as defined in this Third Party Citation)
Defendant is reimbursed for the following expenses: Cell phone.

6. If Defendant has or had a pension or 401(k), please state whether Defendant continues to be entitled to benefits (answer yes or no) and identify the name, address, telephone number and e-mail address of the third-party administrator or trustee.

Yes No X

Please return to: United States Attorney's Office, Financial Litigation Unit, 219 South Dearborn Street, 5th Floor, Chicago, Illinois 60604

If yes, please describe below (continue on additional sheets if necessary):

7. If you deny that you hold property subject to the judgment of the United States, check one of the following statements:

Respondent believes the following claim of exemption/election of exemption applies: _____

Respondent has the following objections, defenses, or set-offs to the United States' right to attach and garnish Respondent's indebtedness to Defendant: _____

On the date Respondent was served with the Citation, Respondent was not indebted or under liability to Defendant, and/or Respondent did not have in his/her/its possession or control any wages, income or other property belonging to Defendant, or in which Defendant has an interest and it not liable as a Respondent in this action.

8. The original Answer must be delivered in person or sent by first-class mail to the United States Attorney's Office, Financial Litigation Unit, 219 South Dearborn Street, 5th Floor, Chicago, Illinois 60604.

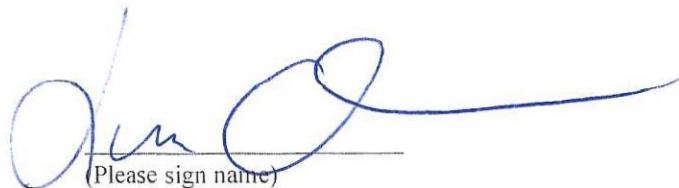
9. Respondent mailed a copy of this Answer by first-class mail to:

(A) Defendant, Thomas Cullerton, at 126 N Charles Ave, Villa Park, IL 60181.

VERIFICATION

Pursuant to 28 U.S.C. § 1746, I verify under penalty of perjury that the foregoing is true and correct.

Executed this 9th of June, 2023.
Day Month



(Please sign name)

Lissa E. Druss

(Please print name)

312-259-8600

Telephone Number

Please return to: United States Attorney's Office, Financial Litigation Unit, 219 South Dearborn Street, 5th Floor, Chicago, Illinois 60604